



**CALFED
BAY-DELTA
PROGRAM**

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M e m o r a n d u m

Date: June 22, 1999
To: BDAC Members
From: Lester A. Snow
Subject: Governance

Summary

CALFED staff, agencies and stakeholders are continuing to work on refining the interim and long-term governance structures for CALFED. At the last BDAC meeting in May, Policy Group members joined the BDAC meeting and discussed the topic of CALFED governance. At that meeting BDAC members expressed concern about diverting too much attention to refinement of an interim structure that would reduce the focus on the long-term structure. Policy Group members agreed to provide a recommendation on long-term governance by the end of 1999. It is expected that whatever is recommended for long-term governance, legislation at both the state and federal levels will be necessary.

Background

The June 1999 Revised Programmatic EIS/R contains the draft Governance Plan (within the Implementation Plan Technical Appendix). The draft Governance Plan includes a description of the functions necessary for program oversight and implementation, principles for establishing an oversight governance structure, recommendations for an interim governance structure and in some cases options for long-term governance structures.

For the interim, CALFED proposes the continuation of the current governance structure, including continuation of BDAC, adapted to support the implementation phase (Attachment 1). The interim structure will be in place only as long as it takes to establish a long-term structure.

CALFED Agencies

California
The Resources Agency
Department of Fish and Game
Department of Water Resources
California Environmental Protection Agency
State Water Resources Control Board
Department of Food and Agriculture

Federal
Environmental Protection Agency
Department of the Interior
Fish and Wildlife Service
Bureau of Reclamation
U.S. Geological Survey
Bureau of Land Management
U.S. Army Corps of Engineers

Department of Agriculture
Natural Resources Conservation Service
U.S. Forest Service
Department of Commerce
National Marine Fisheries Service
Western Area Power Administration

- Interim Governance
 - Decision in the Revised draft EIS/R, June 1999
 - Revised Agreements in place by the time of the ROD, June 2000
 - Operates until a long-term governance structure is adopted
- Long-Term Governance
 - Policy Group Recommendation September - December 1999
 - Legislation expected to be needed
 - Possibly introduce legislation in early 2000

A summary of the major tasks and schedule for interim and long-term governance is provided in Attachment 2.

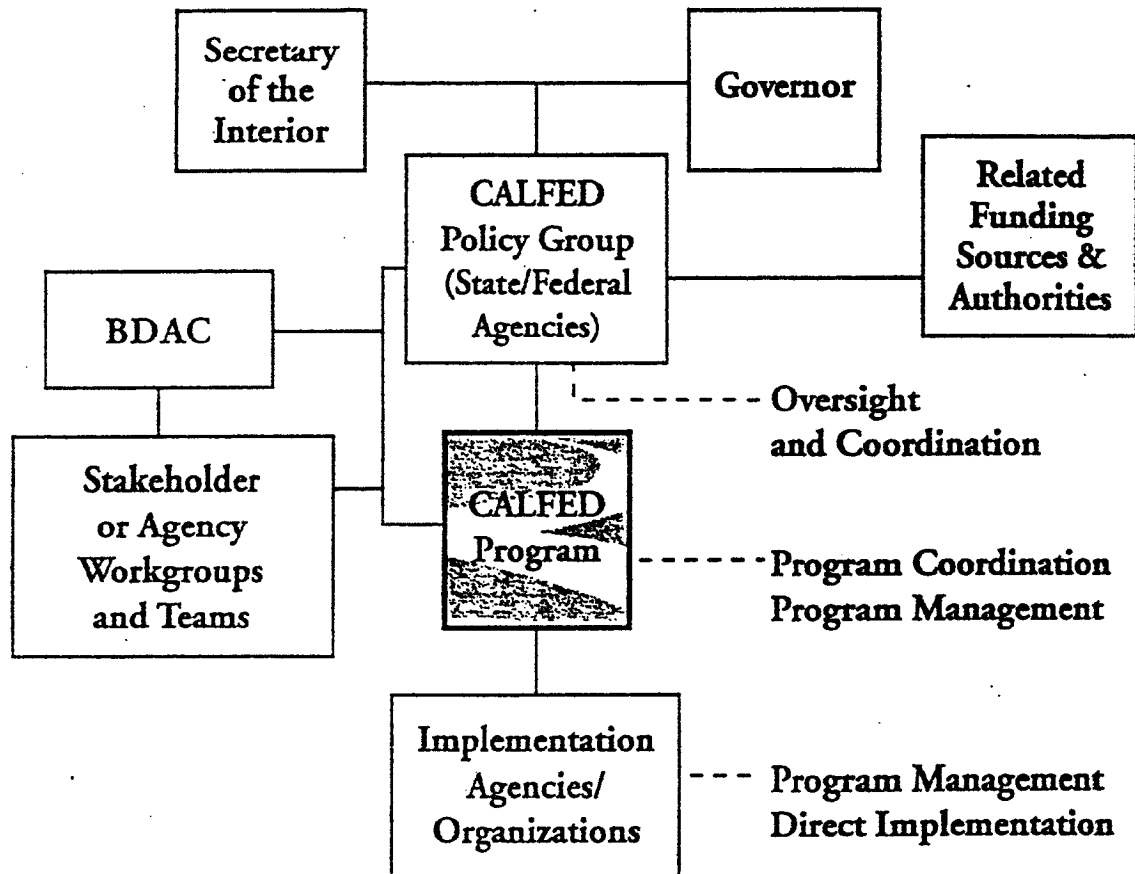
California Environmental Trust Governance Workshop.

On June 16, 1999 the California Environmental Trust (CET) sponsored an all day workshop to discuss CALFED governance issues. The CET invited 6 panelists with expertise in ecosystem governance or academic background in government processes and institutions. CALFED agencies and stakeholders were invited to attend and participate in the workshop. The workshop provided useful information and new perspectives as CALFED and BDAC continue the discussion on governance for CALFED implementation. The CET is preparing a written summary of the Workshop which should be available at the July BDAC meeting. Staff and BDAC members who attend the workshop will provide a summary at the July BDAC meeting.

BDAC Governance Workgroup

The Governance Workgroup is scheduled to meet June 30, 1999. At the June meeting both interim and long-term governance will be discussed. The Workgroup members will debrief from the CET Workshop, discuss possible amendments to the BDAC charter related to implementation, and may provide a recommendation to BDAC on long-term governance for the ERP.

CALFED Interim Governance Structure and Functions



Governance Schedule and Tasks

June 21, 1999

June 1999

- *Policy Group (6/17)*
Identify and agree to tasks, schedule and agency involvement
Discussion: ERP long-term governance
Outcome: Agreement on the schedule and tasks

July 1999

- *BDAC (7/8-9)*
The BDAC Governance Workgroup may make a recommendation to BDAC on a long-term governing structure for the ERP
- *Policy Group (7/15)*
Decision: Framework Agreement--Policy Group interim functions/tasks, decision-making protocols, designated representatives, and meeting frequency and format (public/joint BDAC meetings)
Discuss CALFED Program administration and organization
Discuss long-term governance options for CALFED oversight

August 1999

- *Policy Group (8/12)*
Decision: Final approval of Framework Agreement, circulate for agencies signatures
Recommendations for Revised Charter for BDAC (membership, meetings, workgroups, functions/tasks)

Sept. 1999

- *BDAC (9/16-17)*
Receive BDAC input on interim and long-term governance, BDAC Charter

Policy Group (9/23)

Decision: Recommendation on basic framework and need for legislation for long-term governance for CALFED oversight, ERP, and all other program areas.

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Oct./Nov. 1999

- *Possible Joint BDAC/Policy Group meeting*
Provide update and receive BDAC input on long-term governance recommendation, and proposed revisions to BDAC charter
- Possible bill drafting and interim legislative hearings on long-term CALFED governance

Nov. 1999

- *Policy Group (11/16)*
Decision: Actions to improve CALFED Program administration and organization. Final draft of revised BDAC Charter, begin Federal amendment process

Dec. 1999

- Possible bill requests to Governor's Office and DOI

Jan./Feb. 2000

- Possible bill introduction on long-term governance